

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE
Transcriber's Office
FLOOR DEBATE

April 11, 2003 LB 165

But please don't just dismiss this out of hand. We could rue the day that we did that. It has happened before on the floor of this Legislature. I would give the rest of my time to Senator Preister, Mr. President.

SPEAKER BROMM: Senator Preister, you have 3 minutes and 10 seconds.

SENATOR PREISTER: Thank you, Mr. President. Thank you, Senator Schimek, for yielding the time, but even more importantly for, on Final Reading, taking this as a serious amendment and paying attention to the items of concern that I'm raising. I don't think this is a good idea. I've said that all along. I've said it in committee. You can see on the committee statement I did not vote to advance it. It isn't that I'm coming at the last minute raising issues that I haven't raised all along that I was aware of. I'm raising issues that I'm still discovering are issues and when we're indemnifying an out-of-state for-profit company that's been in operation for only four years, three of the nuclear reactors that they have taken over operation of have been "downlisted" while they have been operating them, I think we have some legitimate area of concern here, particularly when that liability is going to be potentially shifted and almost unlimited amounts of liability for things that are just considered the cost of doing business. And the cost of doing business does include, in this agreement, those issues that deal with litigation and liability, and those costs, as Senator Quandahl said, including the \$151 million judgment against Nebraska, could potentially be shifted to the ratepayers of NPPD, other costs, other litigation. This contract isn't signed yet, but the amendment that I propose at least gives us the chance to have some assurance in statute that we're saying we don't want that section to be a part of the contract. I don't think that's asking a whole lot. I don't think that we should just take this as something that the utility has presented to us and pass it without some scrutiny. That's what happened when...

SPEAKER BROMM: One minute.

SENATOR PREISTER: ...original legislation was passed on the whole compact issue for Nebraska and we've been paying the price